

**The Commonwealth of Massachusetts  
Commission Against Discrimination  
One Ashburton Place , Boston, MA 02108  
Phone: (617) 994-6000 Fax: (617) 994-6024**

H & R Block  
Catherine Watson  
4400 Main St  
Kansas City, MO 64101

2/3/2003

*Complainant*

RE: Adrian McCray vs. H & R Block , Linda Murphy  
MCAD Docket Number: 03BEM00256  
EEOC/HUD Number: 16CA300902

Dear Complainant Party:

Please be advised that the Massachusetts Commission Against Discrimination (MCAD) has assigned to investigate the above referenced complaint of discrimination. The Commission's investigator will review the allegations in the complaint and will keep the parties informed of developments arising from that investigation.

Please indicate the following by initialing the correct statement:

\_\_\_\_ I am represented by an attorney in this matter. If you initial this statement, you must submit to the investigator a Notice of Appearance from your attorney within 10 days of the date of this letter in order to be considered represented by counsel.

\_\_\_\_ I am not represented by an attorney in this matter.

Please note that if your situation changes you must notify the Commission immediately. Also, failure to accurately complete this statement may result in your claim being administratively closed for failure to cooperate with the Commission's investigation.

The Respondent has been advised of our requirement to provide you with a copy of its position statement. You are required to submit a rebuttal to that position statement within twenty-one (21) days of receipt of the position statement.

It is our policy to determine whether the parties are willing to consider a rapid, informal and voluntary resolution of this dispute. The Commission encourages such resolutions as an alternative to the often lengthy and expensive litigation process. To discuss the possibility of settlement, please contact the Investigator named below.

If you have any questions pertaining to the Investigation, please contact Stacy Maloneat (617) 994-6090.

Very truly yours,

Stacy Malone  
Investigator

Cc:

## EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

H & R Block  
Catherine Watson  
4400 Main St  
Kansas City, MO 64101

Linda Murphy  
H & R Block  
31 Schoosett St  
Pembroke, MA 02359

Francine Gill  
Attn: H & R Block  
31 Schoosett Street  
Pembroke, MA 02359

Person Filing Charge: Adrian McCray  
This Person (Check One): ☐ Claims to be aggrieved  
☐ Is filing on behalf of  
Date of Alleged Violation: 01/28/03  
Place of Alleged Violation: Pembroke,  
EEOC Charge Number: 16CA300902  
MCAD Docket Number: 03BEM00256

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### NOTICE OF CHARGE OF DISCRIMINATION WHERE AN FEP AGENCY WILL INITIALLY PROCESS (See Attached Information Sheet For Additional Information)

You are hereby notified that a charge of employment discrimination under

- ☐ Title VII of the Civil Rights Act of 1964
- ☐ The Age Discrimination in Employment Act of 1967 (ADEA)
- ☐ The Americans Disabilities Act (ADA)

Has been received by

- ☐ The EEOC and sent for initial processing to MCAD  
(FEP Agency)
- ☐ The Mass. Commission Against Discrimination  
(FEP) Agency and sent to the EEOC for dual filing purposes.

While the EEOC has jurisdiction (upon the expiration of any deferral requirements if this is a Title VII or ADA Charge) to investigate this charge, EEOC may refrain from beginning an investigation and await the issuance of the Agency's final findings and orders. These final findings and orders will be given weight by EEOC in making its own determination as to whether or not reasonable cause exists to believe that the allegations made in the charge are true.

You are therefore encouraged to cooperate fully with the Agency. All facts and evidence provided by you to the Agency in the course of its proceedings will be considered by the Commission when it reviews the Agency's final findings and orders. In many instances the Commission will take no further action, thereby avoiding the necessity of an investigation by both the Agency and the Commission. This likelihood is increased by your active cooperation with the Agency.

- ☒ [X] As a party to the charge, you may request that EEOC review the final decision and order of the above named Agency. For such a request to be honored, you must notify the Commission in writing within 15 days of your receipt of the Agency's issuing a final finding and order. If the agency terminates its proceedings without issuing a final finding and order, you will be contacted further by the Commission. Regardless of whether the Agency or the Commission processes the charge, the Recordkeeping and Non-Retaliation provisions of Title VII and the ADEA as explained on the second page of this form apply.

For further correspondence on this matter, please use the charge number(s) shown.

- ☐ [ ] An Equal Pay Act Investigation (29 U.S.C 206(d)) will be conducted by the Commission concurrently

with the Agency's investigation of the charge.

[X] Enclosure: Copy of the Charge

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**Basis of Discrimination**

<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> Sex	<input type="checkbox"/> Religion	<input type="checkbox"/> National Origin
<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Retaliation	<input type="checkbox"/> Other	

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**Circumstances of alleged violation:**

**SEE ENCLOSED COPY OF THE CHARGE OF DISCRIMINATION (or EEOC FORM 5)**

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<b>Date</b>	<b>Type Name/Title of Authorized EEOC Official</b>	<b>Signature</b>
2/4/2003	Robert L. Sanders, Director	

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Commission Against Discrimination  
One Ashburton Place, Boston, MA 02108  
Phone: (617) 994-6000 Fax: (617) 994-6024**

MCAD DOCKET NUMBER: 03BEM00256  
FILING DATE: 02/03/03

EEOC/HUD CHARGE NUMBER: 16CA300902  
VIOLATION DATE: 01/28/03

Name of Aggrieved Person or Organization:

Adrian McCray  
75 Hathaway Street  
New Bedford, MA 02746  
Primary Phone: (508)996-1293 ext. \_\_\_\_\_

Named is the employer, labor organization, employment agency, or state/local government agency who discriminated against me:

H & R Block  
Catherine Watson  
4400 Main St  
Kansas City, MO 64101  
Primary Phone: (800)269-9220 ext. \_\_\_\_\_

Linda Murphy  
H & R Block  
31 Schoosett St  
Pembroke, MA 02359  
Primary Phone: (781)826-0111 ext. \_\_\_\_\_

Francine Gill  
Attn: H & R Block  
31 Schoosett Street  
Pembroke, MA 02359  
Primary Phone: (781)826-0111 ext. \_\_\_\_\_

No. of Employees: 25+

Work Location: Pembroke, MA

Cause of Discrimination based on:  
Paragraph 4, Retaliation.

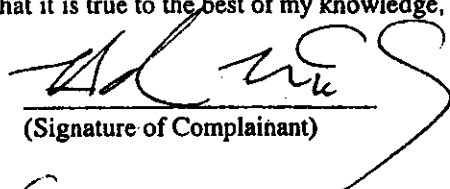
The particulars are:

I, Adrian McCray, the Complainant believe that I was discriminated against by H & R Block, Linda Murphy, on the basis of Retaliation. This is in violation of M.G.L. 151B Section 4 Paragraph 4 and Title VII.

On December 4, 2002, I filed a discrimination complaint against Respondent docket # 021304017. Since the filing of the complaint I feel that Respondent's commenced to retaliate against me, the incident that transpired are as following: 1. They alleged that the Training session where insufficient in substance and/or not long enough; 2. Was threatened with mandatory EAP; 3. I was unfairly discipline for taking time off; 4. My pay was withheld unfairly; 5. I was subjected to a hostile work environment in that Respondent's told everyone about the complaint I filed; 6. Subjected to harassing statements and comments by Linda Murphy, Supervisor; she called me a liar; and 7. Francine Gill, HR cancelled a medical appointment using my confidential information without my permission.

Francine Gill, HR failed to investigate my complaints of harassment against Linda Murphy. On January 20, 2003, I was terminated for absences and fabricated performance problems.

I swear or affirm that I have read this complaint and that it is true to the best of my knowledge, information and belief.

  
(Signature of Complainant)

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS DAY of 2/3/2003.

NOTARY PUBLIC: 

SIGNATURE NOTARY PUBLIC: 

MY COMMISSION EXPIRES: 6/8/08